

# Zimbabwe Law Review



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# EDUCATION FOR HUMAN RIGHTS: WHICH WAY FORWARD?\*

by

*Marina d'Engelbronner - Kolff\*\**

*"Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed."*<sup>1</sup>

## Introduction

Anno 1994, the world we live in seems more and more contradictory and incomprehensible. On the one hand, instruments containing provisions for the protection and promotion of universal human rights and fundamental freedoms are recognised by almost all governments; on the other hand, the same human rights and fundamental freedoms are violated to a high degree either by governments, groups of people or individual human beings. On the one hand, people and individuals strive for a more peaceful, equal and democratic world; on the other hand, their fellows prefer the use of weapons and the method of war. The current international tensions and conflicts raging over all continents, the continuing inequalities, the mass and gross violations of human rights, and the growing economic, political, cultural and social relations and interdependence, demonstrate a compelling need for international understanding, peace, human rights and fundamental freedoms.

Eide has pointed out that:

Initially, notions about human rights have emerged as ideals. When the support for such ideals becomes sufficiently strong and comprehensive, the next stage has been to incorporate some of them into legal documents. While incorporation of human rights into legal systems is a significant step, it can nevertheless remain empty or formal unless the whole social, economic and political order is transformed so that it allows everyone an equal enjoyment of all the rights. The ultimate tests for human rights respect is to be found in the actual reality of a society.<sup>2</sup>

This is where the challenge of and the need for human rights education arises on the international, regional as well as national levels. The major impediment to effective enjoyment, promotion and protection of human rights is ignorance of these rights. It is impossible to defend human rights if they are unknown, and they cannot be known unless publicised. The lack of knowledge influences attitudes, behaviour and skills, and often contributes to the extreme misery, barbarity and unfair practices in our world.

In the long run, observance of human rights can only come about as a result of an adequately informed and educated citizenry. Human rights education is essential for the formation of public opinion and the generation of public pressure for compliance with human rights. The ultimate sanction of human rights is the force of an educated public opinion. To develop and strengthen this force on the international, regional and national levels is the enormous, but challenging task of the people of today.

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\* Paper delivered at SARIPS workshop on Education for Human Rights in Southern Africa.

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1 Preamble of the UNESCO Constitution, 1945.

2 Eide A, "Dynamics of Human Rights and the Role of the Educator" in *Frontiers of Human Rights Education*, Eide A, and Thee M (eds), (Universitetsforlaget, International Peace Research Institute, Oslo, 1983) p 107-108.

## Definitions

One of the first things coming into mind is that of the definition of the most fundamental concepts mentioned in this paper. To understand the developments and needs in the field of human rights education we must have a clear notion of what is meant by human rights and by education. What is human rights education and what does it comprise?

First of all, **human rights** are regarded as those rights and freedoms which inhere in every human being by virtue of his/her humanity alone, and which are not conferred on her/him by any ruler, nor earned, or acquired by purchase. They are defined in the various international declarations and covenants, as well as in the constitutions of various states as civil, political, economic, social, cultural, women's, children's and people's rights and duties. Human rights are seen in the broadest sense so that they include, *inter alia*, democracy, tolerance, popular participation, mutual respect and understanding, and development.

Continuing the explanation of the main concepts, the 1974 United Nations Educational, Scientific and Cultural Organisation (UNESCO) Recommendation Concerning Education for International Understanding, Cooperation, Peace and Education Relating to Human Rights and Fundamental Freedoms defines **human rights education** as follows: "It implies the entire process of social life by means of which individuals and social groups learn to develop consciously within and for the benefit of, the national and international communities, the whole of their personal capacities, attitudes, aptitudes and knowledge. This process is not limited to specific activities".

To clarify the above definition, it is worth considering two levels of education:

- education about human rights; and
- education for human rights.

The first level lies in the cognitive field, and implies a transfer of knowledge about human rights norms and principles to the learners. The process of knowing includes both awareness and judgement. Education for human rights emphasises, apart from a transfer of knowledge, the learning of those skills, values and attitudes which will contribute to the ultimate objectives of human rights education: the promotion and protection of human rights and fundamental freedoms. Education for human rights, thus, encompasses both cognitive and affective aspects.

Just as Vasak defined human rights teaching in a very broad sense, equating it with the concept of education, and touching on both the cognitive and affective fields, educating human rights, and teaching human rights in this broader sense will be regarded as synonymous throughout the paper.<sup>3</sup>

Education for human rights and fundamental freedoms can either be provided in a **formal way** within the curricula of schools, colleges, universities, teacher training institutions, etc., or in a **non-formal way** outside these curricula, i.e., out-of-school, adult education, specialised training for professional categories. The paper focuses on both ways of providing education for human rights.

## Legal Background

### **International Instruments**

Although drafting international instruments containing provisions for the teaching of human rights can be considered as a development of the second half of the 20th Century, there are some references further back in history. For example, the French Declaration of Rights of Man and Citizen of 1789, which focused on the ideas of Life, Property and Security, had already emphasised the need for each citizen to know his fundamental rights and freedoms, as well as the ways and means to enforce them.

Since the Second World War, human rights education has been an increasingly important topic on the international agenda. Many resolutions, declarations and theories on this subject have been issued, especially under the auspices of the United Nations. Among the general international instruments, the Charter of the United Nations (UNCH), the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and People's Rights (ACH) all refer to education for human rights.

The UNCH, the constituent instrument of the United Nations signed in 1945, imposes on the Member States binding obligations to create stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. The United Nations itself shall promote, *inter alia*, international cultural and educational cooperation, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.<sup>4</sup> Although the provisions do not explicitly refer to human rights education, it can be argued that it is implied in these general and broad provisions.

The reasons for teaching and learning human rights were described as early as in the UDHR, the first catalogue of human rights and fundamental freedoms adopted in 1948, which continues to be an inspiration of all other human rights instruments and activities. It states in its Preamble that States: "... shall strive by teaching and education to promote respect for these rights and freedoms..." While initially the Declaration did not intend to create binding obligations, the view has been supported that it acquired the status of *ius cogens* and, therefore, now forms part of binding customary international law.

Both the ICCPR and the ICESCR, adopted in 1966, and the ACH, which entered into force in 1986, acknowledge that States Parties are bound to respect and ensure the rights and duties laid down in the instruments, and to adopt legislative or other measures to give effect to them. Although "other measures" could imply the provision of education, this is only explicitly stated in Art. 25 of the ACH: "States parties ... shall have the duty to promote and ensure through teaching, education and publication the rights and freedoms..."

To recap, although various general international instruments mention obligations for State Parties to promote and protect human rights, only the UDHR and the ACH refer to the promotion and protection of human rights through teaching and education.

### Right to Education

The more general right to education, which encompasses the right to free education at least in the elementary and fundamental stages, the right to accessible higher education and the right for parents to choose the kind of education that shall be given to their children, is laid down in the UDHR of Human Rights, both the International Covenants and the ACH.

While the ICESCR<sup>5</sup> emphasises this more general right and does not explicitly refer to human rights education, the ACH<sup>6</sup> lays down the right to human rights education in the following wording: "Every individual shall have the right to education", and "The promotion and protection of morals and traditional values recognised by the community shall be the duty of the State".

3 Vasak K, *International Seminar on the Teaching of Human Right* (Geneva, 1988).

4 Art. 55 United Nations Charter.

5 Art. 13 of the International Covenant on Economic, Social and Cultural rights.

6 Art. 17 (1) and (3) of the African Charter on Human and People's Rights.

The purposes of education are further defined in Art. 26 (2) of the UDHR as:

- the full development of the human personality;
- the strengthening of respect for human rights and fundamental freedoms;
- the promotion of understanding, tolerance and friendship among nations; and
- the furtherance of the activities of the United Nations for the maintenance of peace.

Art. 18 of the ICCPR adds more:

- the development of a sense of human dignity;
- enabling all persons to participate effectively in a free society; and
- the promotion of understanding, tolerance and friendship among ethnic groups.

Thus, under the various international instruments, it is an international obligation of Member States to provide for the teaching and dissemination of knowledge of human rights and to create material conditions for adequate teaching at all levels of schools and universities as well as in adult education. We can, therefore, conclude that the general right to education encompasses a strong human rights education component.

The next question to consider is whether learning and teaching human rights is a human right in itself, which should benefit from international protection. Is it a right for an individual or for people to be taught human rights? Is it a right and duty for a State Party to the particular instruments to facilitate and stimulate teaching of human rights? Is it a right and duty for a teacher to teach human rights? Taking into account the above mentioned international obligations and duties of State Parties, the first two questions can be answered in the affirmative. One might say that the approach of the international community is one of seeming to view human rights education as a *de facto* human right. This has also been confirmed by the 1974 Recommendation Concerning Education for International Understanding, Cooperation and Peace, and Education Relating to Human Rights and Fundamental Freedoms, the 1993 World Plan of Action on Education for Human Rights and Democracy and the 1993 Vienna World Conference. Nevertheless, the international documents never view this issue from the teacher's point of view, so, although a right for a teacher to teach human rights exists, the accompanying duty must still be doubted.

### UNESCO and Education for Human Rights

This section will take a closer look at the work of UNESCO in the field of human rights education. The intention is not to provide a comprehensive overview of all the existing UNESCO-declarations, resolutions and other activities, but rather to give you a taste of the contributions of UNESCO in this field.

On the international level, the organisation most concerned with human rights education is UNESCO. The promotion of human rights lies at the core of all of UNESCO's work, whether normative, intellectual or developmental. One of the objectives of the UNESCO-programmes is the provision of education and information concerning human rights. It is stated in Art. 1 of the UNESCO-Constitution, which was adopted in 1945, that: "the purpose of the organisation is to contribute to peace and security promoting collaboration among nations through education, science and culture in order to further universal respect for justice, for the rule of law, and for the human rights and fundamental freedoms, which are affirmed for the peoples of the world, without distinction of race, sex, language or religion by the UNCH". To realise this purpose the Organisation will:

- collaborate in the work of advancing knowledge and understanding of peoples, through all means of mass communications;
- give a fresh impulse to popular education and to the spread of culture; and
- support human rights campaigns, provide teaching materials on human rights issues and organise debates and conferences about this topic.

In keeping with its mission and in accordance with the provisions of its Constitution, UNESCO has pursued its activities in the field of education for international understanding, peace and the teaching of human rights in cooperation with Member States, educational institutions and NGO's. While UNESCO-clubs knew an early spontaneous development from 1947 on, UNESCO launched the ASP in 1953. The objectives of both the UNESCO-clubs and ASP schools are to strive for the promotion of international understanding, cooperation and peace, respect for human rights, and the development of individuals and societies. The idea is to exchange knowledge and information on various problems that confront mankind. While members of the UNESCO-clubs are people of all ages and from all socio-cultural backgrounds, who voluntarily adhere to and support UNESCO ideals, the target-group of the ASP is the school-population (teachers and students). The activities of the ASP, which now includes over 2000 schools in almost 100 countries, are organised both in the framework of curricula and outside the class-room.

Although this marked a good start of UNESCO's programmes centred on human rights education, from 1968 on the Member States called for an international instrument on education for international understanding and human rights. It was only in 1974 that an international document emerged: the General Conference of UNESCO adopted at its 18th Session in 1974 the Recommendation Concerning Education for International Understanding, Cooperation and Peace, and Education Relating to Human Rights and Fundamental Freedoms. UNESCO chose the form of a non-binding recommendation, because it intends not to impose specific activities on Member States, but rather to stimulate them to implement recommendations according to their own ideas and means.

The Recommendation explains that: "Education shall be infused with the aims and purposes set forth in the UNCH, the Constitution of UNESCO and the UDHR". In order to enable every person to contribute actively to the fulfilment of the aims referred to, and to promote international solidarity and cooperation, which are necessary in solving the world problems affecting the individuals' and communities' life and exercise of fundamental freedoms, the following objectives should be regarded as major guiding principles of educational policy:

- an international dimension and a global perspective in education at all levels and in all forms;
- understanding and respect for all peoples, their cultures, civilisations, values and ways of life, including domestic ethnic cultures and cultures of other nations;
- awareness of the increasing global interdependence between peoples and nations;
- ability to communicate with others;
- awareness not only of the rights but also of the duties incumbent upon individuals, social groups and nations towards each other;
- understanding of the necessity for international solidarity and cooperation; and
- readiness on the part of the individual to participate in solving the problems of his community, his country and the world at large.

Teaching for human rights is thus an essential element of the broader task of education for international understanding. The objectives and guiding principles of such education apply to all levels, stages and forms of education, ranging from pre-school, primary and secondary school, to tertiary and out-of-school education.<sup>7</sup>

Since the adoption of the 1974 Recommendation, Consultative Sessions on Steps to Promote the Full and Comprehensive Implementation of the 1974 Recommendation take place regularly. During these Sessions, a permanent system of reporting on steps taken by UNESCO Member States was set up, the necessity of indepth studies and consultative missions, focusing on specific regional problems, recognised, and an international network of Unesco Associated Universities were recommended.

<sup>7</sup> For further information on this issue, see Nziramasanga CT and Jaji G, *Report on the Provision of Education for International Understanding, Cooperation and Peace in Zimbabwe* (UNESCO Office Harare, Harare, 1992).



In 1978, an UNESCO International Congress on the Teaching of Human Rights took place in Vienna. The Vienna Congress was particularly useful and important as it gave a fresh impulse to the development of human rights teaching. The Final Document of the Congress acknowledges that:

The concept of human rights should not be formulated in traditional or classical terms but should include the historical experience and contributions of all people particularly in relation to the major contemporary problems such as self-determination and all forms of discrimination and exploitation.

The aims of human rights education were described as:

- fostering the attitudes of tolerance, respect and solidarity inherent in human rights;
- providing knowledge about human rights, in both their national and international dimensions, and the institutions established for their implementation; and
- developing the individual's awareness of the ways and means by which human rights can be translated into social and political reality on both national and international levels.

The Final Document not only calls on all levels of the educational system, as well as on the State and UNESCO to expand and improve activities in the field of education, but on out-of-school settings as well. Especially the role of the family in the implementation of human rights education is spelled out:

Human rights programmes should take into consideration the fact that attitude formation in regard to human rights begins in infancy and early childhood. Concepts of self-esteem and respect for others, the very foundation of human rights, are first communicated with the family. It is essential, therefore, to provide family life education to help parents develop humane and equitable relationships within the family, between the parents themselves, and among other family-members.

Nine years afterwards, the UNESCO International Congress on Human Rights Teaching, Information and Documentation, which took place in Malta, stressed the need for human rights education to be strengthened worldwide within a coherent and concerted framework, while during the UNESCO Seminar on the Teaching of Human Rights, in Geneva, in 1988 the training of law enforcement personnel, the training of teachers at all levels and education in the non-formal sector were subjects of discussion.

A World Plan of Action On Education for Human Rights and Democracy was adopted during the International Congress on Education for Human Rights and Democracy, organised by UNESCO in Montreal (Canada) in March 1993. The World Plan addresses itself to individuals, families, communities, educators, teaching unions, popular movements, political parties, parliamentarians, governments, national and international NGO's, all multilateral and intergovernmental organisations, the United Nations, in particular its Centre for Human Rights, and the United Nations specialised agencies, especially the UNESCO. The World Plan calls for a global mobilisation of energies and resources, from the grass-roots all the way up to the United Nations, in order to educate individuals and groups about human rights and democracy. "Such learning", the Plan says, "is not an end in itself, but rather the means of eliminating human rights violations and building a 'culture of peace' based on democracy, development, acceptance and mutual respect".

The seven major strategies, laid down in the World plan, include the development of active national, regional and international networks to produce material, curricula and programmes, as well as the exchange of methods and materials, and the development of best-practice approaches. The main lines of action to be taken are, *inter alia*, the identification of the most appropriate target-groups, the review of methodologies and materials, and the building of practical relationships / networks among individuals, educators, groups and institutions in particular through meetings and bi- and multi-lateral collaboration. The challenge facing the World Plan is to translate human rights, democracy and concepts of peace, of sustainable development and of international solidarity into social norms and behaviour.

The last Conference, deserving mention, is the World Conference on Human Rights, which took place in



Vienna in June 1993. Although unsuccessful in some aspects, the paragraphs in the Final document dealing with education for human rights are quite satisfactory:

Education on human rights and the dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect for human rights with regard to all individuals ... and this should be integrated in the education policies at national as well as international levels. The World Conference notes that resource constraints and institutional inadequacies may impede the immediate realisation of these objectives.

The World Conference acknowledges that:

Governments, the United Nations system as well as other multilateral organisations are urged to considerably increase the resources allocated to programs aiming at the establishment and strengthening of: national legislation, national institutions and related infrastructures which uphold the rule of law and democracy, electoral assistance, human rights awareness through training, teaching and education, popular participation and civil society.

It, further, recognises the important and constructive role for the promotion and protection of human rights played by national institutions and NGOs and encourages the increased involvement of the media, for whom freedom and protection should be guaranteed within the framework of national law.

While the World Conference called on the international community to consider the proclamation of a United Nations Decade for Human Rights Education in order to promote, encourage and focus these educational activities, a People's Decade of Human Rights Education (1991–2001) has been developed as a private initiative by educators and NGOs in many parts of the world attempting to reach “all people” and involve “all sectors of society”. The aim of this effort is to elaborate and implement a global peoples’ strategy to further mass education in human rights and democracy in all sectors of society so that all people will be familiar with the UDHR.

### **Principles And Thoughts On Human Rights Education**

From the legal background of the provision for human rights education, we proceed to consider the various principles related to the concept of human rights education. Principles of universality, daily reality, active participation, development, and integrated and multi-disciplinary approaches rule the field of human rights education.

#### **Universality**

Human rights are universal, regardless of cultural forms and expressions those rights may take. This implies that human rights do not only cover civil and political rights, but economic, social and cultural rights, people’s rights and duties as well. They are indivisible. Universality, further, means that all these rights, freedoms and duties apply to every human being in the world, wherever he or she lives. The universality of human rights should thus be recognised and education for human rights should become possible in every “corner” of this globe.

This was reaffirmed in the Vienna Declaration of Human Rights in 1993:

... The universal nature of these rights and freedoms is beyond question ... [and] ... all human rights are universal, indivisible, inter-dependent and inter-related. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of states, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

In a similar way, Vaidcanu argued that: “The idea of the universal mission of human rights education, and, in the main, of the new types of education generated by contemporary world problems, gains in importance as

human rights education can only be efficient, if it is promoted simultaneously by all countries on a basis of mutual confidence and with common fundamental goals".<sup>8</sup>

While regarding and treating human rights as universal, different views, ideas, priorities and strategies to implement them, might appear in different countries and at different times. Bearing in mind regional and local contexts, different social and ethno-cultural features and local strategies, it is obvious that universal values will be manifested in different forms in different parts of the world, in different cultures and different nations. To teach human rights is not simply to sing one single song. As Moustapha Seck said:

In order to make the doctrine of human rights truly universal, education must take into account the cultural requirements from which these rights emerge, and in order to define them, they must be reflected on in the light of experience.<sup>9</sup>

The methods of teaching must be tied to social practice, including the political, social, cultural and economic situations of countries. Thus to keep in touch with the people, human rights teaching should address and reflect their priorities, ideas, problems and backgrounds, and the teaching procedures must remain specific.

### Daily Reality and Active Participation

Although teaching about human rights instruments, provisions and norms should be part of the education process, teaching should not only emphasise theoretical norms, principles, resolutions and texts of international instruments. As Yamane has argued: "It should be applicable, critical and creative and have relevance to the reality of each society".<sup>10</sup> Learning should go hand in hand with the practical exercise of rights and duties in daily life. As some issues are so remote from people's everyday life that there seems little incentive to learn about them, education should be linked with the living-circumstances of the people and their knowledge about what is happening in the world surrounding them. The adoption of a dynamic approach, which should not simply be a set of abstract principles and rules, but the global community's response to actual problems and the needs of people, is most welcome.

This cannot be done, however, by staying within the cognitive domain alone. It suggests not just teaching human rights, or teaching about human rights, it means teaching for human rights: therefore entering the affective domain. The concepts of understanding, solidarity, friendship, tolerance, peace and universal brotherhood are not cognitive objectives, but affective ones. Cognitive objectives can be cognitively communicated in the sense of classical teaching; affective objectives, however, need apart from cognitive methods, some affective communication strategies.<sup>11</sup> Action-based, affective strategies are based on drawing-out knowledge from learners, rather than transferring knowledge to them. Such education is a life-long process, which encompasses disseminating essential information, adopting and developing needed values, aptitudes and attitudes, encouraging commitment and responsibility, building up skills to recognise day-to-day problems and to react to or solve them, while translating the acquired knowledge into practice.

Similarly, it was argued during a Canadian Conference on Human Rights Teaching, that:

Mere knowledge does not serve the objectives of (human rights) education, which requires effective participation based on appropriate skills. Similarly, unreflective or ill-formed participation is equally undesirable; and neither

8 Vaideanu G, "The Promotion of Peace Education in Higher Education Curricula", in (1986) *Higher Education in Europe* Vol. XI, No. 1 p 89.

9 Seck M, "Plea for Human Rights Education in Africa", (1990) *Human Rights Law Journal* Vol. 11 No. 3-4 p 294.

10 Yamane H, "Development of Human Rights Teaching and Research in Asia: Toward a De-ideologization through Information", in Eide and Thee (eds), *op cit* note 2, p 48. See, also, Gallagher M, *Becoming Aware: Human rights and the family — a Study based on Four Communication Campaigns* (UNESCO, Paris, 1985) p 12-31.

11 See Vandenberg, in *The Teaching of Human Rights*, Proceedings of the Conference held by the Human Rights Commission and UNESCO (Australian Government Publishing Service, Adelaide/Canberra, 1983) p 63.

knowledge nor participation will lead to the realisation of human rights objectives unless they are governed by a proper value system.<sup>12</sup>

Teaching human rights is one of the essential means of bringing about social transformation which involves the grass-roots of society who have been marginalised and oppressed by the social system and structures which deny them their rights. This demonstrates the two sides of participation: on the one hand, people need to know their rights and duties to participate effectively in modern society to become the users, protectors and promoters of human rights, on the other hand participation in the education itself is imperative for successful results. Human rights education should not be regarded as an outcome, but as a process: an interactive, participatory method, of vital importance for raising awareness and critical consciousness of people who have been or are oppressed. People should learn to see themselves as subjects of this process.

As critical consciousness derives from action and reflection, educators are not only those who teach others, but also who educate themselves or are being educated by others. Education for human rights is not a one-way street, but rather a life-long process, in which every human being is at all times and at all stages involved. Eide affirmed this in his speech during the 1993 UNESCO Congress on Education for Human Rights and Democracy: "Human rights education must prepare everyone, whichever role he/she has to play, with a commitment and knowledge sufficient to preserve and to advance humanist attitudes and behaviour, even under the most awkward situations".

### **Integrated and Multi-disciplinary Approaches**

The principal target for human rights teaching should be young people, as they constitute the society of the future. Education can never start too early. Consequently, the systematic and progressive realisation of human rights principles depends to a large extent on education in the school, whether pre-school or other levels. The school has the capacity to fully and effectively develop an understanding of the principles of human rights and to shape attitudes and behaviour of young people in accordance with them. As the implementation of human rights education in the curricula of teachers colleges will stimulate the provision of human rights education in schools, action to promote education for human rights should logically begin with teacher training.

While some schools in certain countries voluntarily organise human rights projects, UNESCO-clubs or participate in the ASP, some countries officially have education for human rights and democracy in the curricula of schools under various headings such as peace-education, political education and civics. Examples are Sweden, Ecuador, India, Norway, Panama, Bulgaria, Mongolia, Rumania and Costa Rica.<sup>13</sup> Studies by UNESCO demonstrate that as a result of such compulsory human rights education, people are better equipped to defend their rights. Evaluation also shows that human rights education is best provided when it is practised in teaching situations and school environments, particularly where the actual teaching is provided in the spirit of a respect for human rights and where those principles are reflected on in the educational practice of the school and in the relation between teachers and students.

As discussed above, especially the affective part of education is difficult to achieve in the classroom alone, which automatically leads us to the idea of teaching and learning in a broader community, outside the classroom. As the entire citizenry should internalise these values, human rights education must begin in schools, colleges and universities, but must also reach adults, families and people who are not involved in formal education-programmes. This is particularly important in situations of droughts and economic hardships,

12 Conley MWM (ed), *Teaching Human Rights in Canada* (Acadia University Institute, Nova Scotia: Wolfville, 1984) p 7.

13 See Conley (ed), *op cit*, note 12; Montcallegre H, "Institutional aspects of Human Rights Teaching and Research in Latin-America" in Eide and Thee (eds), *op cit*, note 2; *Recommendation on the Promotion of Human Rights Education in Schools*, the Standing Conference of the Ministers of Education and Cultural Affairs, 4 December 1980; *Some Suggestions on Teaching about Human Rights* 2nd ed (UNESCO, Paris, 1978); and *op cit* note 11.

which in developing countries often lead to extremely high numbers of drop-outs of the schooling system. This integrated approach to human rights education, i.e., one that covers all stages and all types of education, is essential for the education to be successful. In this context, more and more attention is paid to the concept of train-the-trainers, because teachers and educators, whether in the formal or non-formal sectors, can reach extremely large numbers of people through the so-called multiplier effect in a short period.

Having said this, a multi-disciplinary approach to human rights education is strongly recommended: multi-disciplinary, in the sense that formal and non-formal education should cover all aspects of human rights, whether cultural, historical, economic, political, social or legal. Human rights are a proper concern for everyone and do not belong to one particular discipline or profession.

The suggestion of the provision of a separate subject on human rights in primary and secondary schools is generally rejected. The reasons for this are that various existing subjects in the curricula can contribute to an education for human rights, that teachers in schools already have to deal with a large number of subjects, and finally that education for human rights ideally forms the basis of the whole education process. The school offers a wide and varied range of opportunities for teaching human rights. As the multidisciplinary approach suggests, various subjects in the curricula could be used: history, social studies, literature and languages, science, mathematics, arts, music and civics.

It has been pointed out that the situation in universities is slightly different: the various faculties and departments, whether law, politics, humanities, social studies, science, medicines or arts all provide opportunities for the implementation of a special course in human rights. While in primary schools the use of active, participatory methods is recommended and emphasis on relationships in the family and school may be more important than facts, for older pupils and students consideration of the legal, historical, political and moral bases of human rights and some critical appraisal of the acceptance or denial of human rights in practice is more appropriate.<sup>14</sup>

Human rights should not be taught by themselves, but in the context of some social issues and major world problems, such as the status of women, world-hunger, development, the North-South dialogue, war and peace. The use of well-defined, detailed case-studies will stimulate the student to think critically, and to apply the acquired normative knowledge to the bare facts, situations and processes occurring in daily life.

## Development

For decades, people argued that the purpose of development was merely to eradicate absolute poverty or to provide a constantly improving material standard of living. Development, however, is more than economic change. Development is not simply a matter of finally locating the correct strategy for balanced growth, equitable distribution of wealth and national self-reliance. It is rather a means of achieving progress in the widest sense of the word and an economic, political and cultural process which aims at the improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation. It also includes rule of law, freedom to express one's opinions publicly without fear of being persecuted, participation in the decision-making process of the society, dignity of people and respect for human rights and fundamental freedoms; most of these items are interrelated and interdependent.

14 For human rights teaching guides for formal and non-formal settings, see: Kutukdjian GB, *Human Rights Teaching* Vol. V, (Unesco, Paris, 1986); Martin JP, "Human Rights — Education for What?", (1987) *Human Rights Quarterly*, Vol. 9, No. 3, John Hopkins University Press; Pettman R, *Teaching for Human Rights: Activities for Schools* (The Human Rights Commission, 1984); *Some Suggestions on Teaching about Human Rights* 2nd ed (UNESCO, Paris, 1978); Telin B, *Learning to Live in Security: Swedish Pilot Project on Peace, Disarmament, Security and Development* (UNESCO, Paris, 1991); Tucker JL, Lichter King R, Carter SA, *Teaching International Human Rights: a Selection of Lessons* (US National Commission for UNESCO, Florida International University, Miami, 1983); UNESCO, *Seeds For Peace: The Role Of Pre-School Education in International Understanding and Education for Peace*, ED-85/WS/11 (Paris, 1985); and Weil P, *The Art of Living in Peace: Towards a New Peace Consciousness* (UNESCO, Paris, 1990).

According to the structural approach to development, awareness-building and participation are prerequisites for a self-reliant, sustainable economic, social, political and cultural development. As human rights form an integrated part of this structural approach, education and the creation of human rights awareness in the spirit of the 1974 and following recommendations and documents is seen as a component of awareness-building in general and a stimulus for development in its widest sense. Human rights constitute not only the objective, but are also the condition for development and peace. The main issue here is that, it should be clear to all states and governments that human rights education contributes to development and is a means of developing the human qualities and creating the conditions which will enable people to live peacefully together in a world of closely interrelated nations. All policies or ideologies that seek to justify the suppression of human rights and fundamental freedoms of the person or groups in the name of economic development or national security unacceptable.

In conclusion, it can be said that human rights education is closely linked to the realisation of human rights and development. It is a prerequisite for the effective implementation of human rights standards. A mere transfer of knowledge on human rights would, however, not serve its aims, and would not automatically lead to a more peaceful world. Some further ingredients are needed for that: inter-disciplinary collaboration, integrated action and active pedagogic methods which permit participation directly linked with daily practice and needs.

### **Human Rights Education On The Regional And National Levels**

In Africa, the history of human rights cannot be isolated from the continent's overall history. Despite the various wars, strifes and human rights violations, Africa's political processes, legal systems and societies have paid attention to the concepts of social justice, brotherhood, solidarity and human rights, and never totally ignored human rights. Although millions of people seem to be ignorant of their rights, the concept of human rights is not new to Africa. As Seck has formulated his standpoint:

It seems important in Africa more than anywhere else, to place the notion of human rights into a historical perspective in order to demonstrate that these so-called modern rights, far from being alien to us, are firmly rooted in the best traditions and values of our civilisation.<sup>15</sup>

However, the introduction of human rights as a distinct field of study, and in a written form, is of a fairly recent origin. And only recently, African States have pledged support to international human rights documents, such as the ICCPR, ICESCR, UNESCO Conventions, the ACH and the African Charter for Popular Participation in Development and Transformation of 1990. While the ACH refers to rights and duties in general, the African Charter for Popular Participation calls for the emergence of a new era in Africa: an Africa in which democracy, accountability, economics, justice and development for transformation become internalised.

Differences with European, American and Asian human rights systems are evident. African customs and traditions favour mediation, conciliation and consensus over the adversarial and adjudicative procedures common to Western legal systems, and African human rights strongly emphasise solidarity, community life, and individual and people's rights as well as duties to the family, society, state and the international community.

Although most African constitutions enshrine a bill of rights, a right to education for human rights is usually hard to find. We could, however, argue that, as on the international plane, the general right to education, laid down in various constitutions, domestic laws and regulations, encompasses a right to education for human rights. As a growing number of African states become Members of UNESCO and adhere to international instruments such as the International Covenants and the ACH, African governments are bound to respect and ensure the right to human rights education, and to adopt legislative or other measures to give effect to them.

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15 Seck M, *op cit* note 9, p 294.

Nevertheless, one may think that human rights education does not take place in practice in Africa. Education for human rights, particularly in the formal education sector, has not progressed far. A lot has been said on the importance of introducing human rights education at the various levels, but the translation of these words into genuine activities is not that obvious. Apart from the development of the Associated Schools Project (ASP) and UNESCO-clubs, only a few African governments seem to have formulated or seem to be in the process of formulating policies for the inclusion of this subject as a part of the curricula of schools or universities.

During the 1963 UNESCO Conference on "the role of higher education in the development of Africa", it was argued that universities had, in addition to traditional functions and obligations to teach and advance research, responsibility for the social, cultural and economic development of Africa. However, although African universities offer good opportunities for inclusion of the subject of human rights in the various faculties or departments, hardly any systematic teaching of human rights seems to exist. Few lecturers, concerned with human rights, seem to teach human rights as a separate subject or even as a part of the broader field of war studies, international law or relations at the faculties of law, politics or history.

In spite of this general neglect of education for human rights in the formal education sector, the atmosphere in the non-formal sector can be characterised by an increasing number of regional<sup>16</sup> and national NGOs and institutions dedicated to the protection and promotion of human rights and democracy in Africa. Reasons for this increase include, *inter alia*, the preference of donors for the private rather than public sector, and the recognised ability of NGOs to operate within local communities and to reach the large numbers of people, who are or have not been fortunate enough to find themselves in classrooms.

Education for human rights on the local level may appear under such names as legal education, legal aid and consumer information, which would not immediately point in the direction of human rights teaching. While some NGOs and institutions are especially established to provide human rights information and education in general, others organise programmes in the specific areas of AIDS, housing or violence against women, of which education for human rights only forms a small part. Some NGOs and institutions focus on the broad concept of human rights, including participation, democracy and development, others on either civil and political, or economic, social and cultural rights, or on particular issues such as workers and children's rights. Target-groups of the education programmes range from workers, women, refugees, religious clubs and street-children to students and teachers, and professionals such as lawyers, judges, government officials, politicians and medical personnel.

The group comprising of teachers, trainers and other educators, is increasingly regarded as the main target, as the educators are able to reach a large number of people. To reach the target-groups, different strategies are used: mass-media programmes, special reports, leaflets and newspapers for distribution, face-to-face meetings, panel-discussions, seminars, games, posters and role-plays, to name but a few. Similarly, the education provided in literacy classes and through legal counselling by legal aid centres has proved to be very important, especially in deprived areas.

Cultural, educational and linguistic differences between the target-groups require the adoption of distinct approaches and means. Within the process of communication, the conditions, needs and problems of the target-groups must be reflected in the form, structure, style and contents of messages sent to these groups. As the message must reach the target-group, it should have a bearing on their opinions, existing understanding and their daily life.<sup>17</sup> The choice of the appropriate form of communication and the translation in local languages, are the first pre-requisites for a successful education programme.

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16 For example, the Centre of Inter-disciplinary Research for the Promotion and Protection of Human Rights in Central Africa in Zaire, the African Institute of Human Rights in Senegal, and the African Centre for Democracy and Human Rights Studies and the African Commission on Human and People's Rights in the Gambia.

17 See, for further information, Gallagher *op cit* note 10 p 12-31.

## Obstacles and Problems

In spite of all theories, conventions and declarations, slow progress in the development of teaching in the field of human rights can be observed. Very few programmes which specialise in human rights seem to have been initiated, and human rights education seems to be available to only a small fraction of the world's population.

I shall briefly touch on the reasons for the absence of human rights education programmes on the international, regional and national levels. These appear to be mainly:

- **conceptual:** the recent development and fairly new concepts of human rights;
- **political:** the absence of the political will of governments and government officials to get involved in human rights and the existence of other priorities, which seem to be of a more pressing need than the field of human rights;
- **economic:** the scarcity of resources, illiteracy and other problems directly related to underdevelopment; and
- **cultural and social:** cultural and social constraints.

Human rights promotion and protection have seen a tremendous impulse and development in the second half of the 20th century. A lack of knowledge and research on human rights, and the continuing changing nature of the field itself, contribute to confusion on the concept of human rights. If one mentions the words "human rights", people are inclined to think about civil and political rights only. Repression, abuse of power by the government, one-party systems and conflicts with the government are issues which immediately come in mind. Human rights are directly linked, by most people, to torture, disappearances and inhumane treatment and punishment. Economic, social, cultural and people's rights and duties are a neglected group of human rights, not only by the people in general, but by international and national organisations and institutions which are concerned with human rights as well.

Related to this problem is the fact that human rights teaching can result in the identification of human rights with specific groups such as gays, refugees and women. It is true that human rights encompass the rights of these groups, but these groups do not constitute the only subjects. Simultaneously, while education should make the individual aware of his or her own rights, it should at the same time instill respect for the rights of others and emphasise the accompanying duties. The danger here lies in the fact that a person learns human rights as applicable to the assertion of his or her own rights, which can result in a quite egocentric perception of human rights.<sup>18</sup> Nevertheless, as a broad approach to human rights, which favours both rights and duties, is traditionally well-known on the African continent, efforts should be made to educate people on this broader concept of human rights.

Another problem is that African governments which, especially since Independence, are fervent proponents of education, show antipathy toward human rights and have become suspicious of human rights activists and educators. Concern with human rights has been equated with political engagement and support to opposition parties. As the main task of governments is staying in power, this often conflicts with activities of human rights groups. A further reason for low priority of human rights education programmes is that the major concern of governments of developing countries is economic progress and activities. Development is regarded as a mere economic concept, excluding the social, legal and human aspects.<sup>19</sup>

In most countries, where human rights teaching actually takes place, education emphasises the human rights provisions, laid down in the constitution and domestic laws. There is nothing wrong with this, of course,

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<sup>18</sup> See Vandenberg, *op cit* note 11, p 28.

<sup>19</sup> See Chapter 3.4.



unless the content of the provisions do not reflect, and even deviate to a large extent from international and regional human rights principles. Eide acknowledges that with this kind of education, "a risk exists that the human rights education conveys a selected set of values conforming to the particular make-up of the domestic political and economic system".<sup>20</sup> States should, apart from ratifying international human rights instruments, also implement the provisions in their constitutions and domestic laws, and act upon those standards. Education on norms and principles laid down in national legislation which does not comply with international standards, leads to hollow perceptions of human rights principles.

In developing countries whose governments are concerned with human rights, the obstacles to human rights teaching would appear to be more technical; for example, a lack of financial resources, the problems of far distances and high costs of legal services, and poor transport and communication facilities. In order to participate in human rights education programmes and to make actual use of the acquired knowledge and skills, it is necessary for people to have certain resources, such as money, transport and time. The strongest bar to their participation is poverty. Because of the economic policies and the droughts, thousands of people have found it difficult to make ends meet.

Tightly connected to such problems is another of illiteracy, which continues to be a tremendous problem in Africa despite all good efforts. Illiterate people do not have access to printed information, and, therefore, lack one of the most important tools for acquiring human rights awareness. They are not only illiterate in the literal sense of the word, they are also illiterate in the broader sense that they do not have proper access to the protection and promotion of their human rights, or to social, economic and political participation and development.<sup>21</sup>

A continuing problem confronting institutions and organisations in underdeveloped countries is the shortage of funds available for human rights teaching. Other problems include: a lack of appropriate measures and methodologies in education policies, administration and planning, the difficulties in distributing materials, a lack of specialised training for educators in the field of human rights as well as lack of complementary resources such as books and relevant documentation are, too often, an obstacle to the promotion of human rights teaching. African documentation and translations in local languages are scarce, although progress in technology in recent years in the field of human rights has made it possible to bring human rights institutions and organisations closer in terms of the pooling of their materials and the results of their research.<sup>22</sup>

Last, but definitely not least, people's cultural attitudes to life and society seem to form a major factor in the low human rights awareness and practice in Africa. Certain rights touch on some deeply embedded, traditional and cultural beliefs about the nature of marriage, the question of rights and duties of wives and husbands and the notion of full equality between women and men. Not only men, but also women, reject those rights and duties, which cannot be accepted according to the beliefs and practices which are already known and followed for generations.

## Conclusion

In the field of human rights, there is still a wide disparity between proclaimed ideals, declared intentions and actual situations. Overwhelmed with optimistic notes on education for human rights, we must realise that education alone cannot fill up these gaps and solve the problems of violations of human rights. The problems

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20 Eide, *op cit* note 2 p115.

21 See, also, d'Engelbronner-Kolff FM, "The Problems of Illiteracy and Underdevelopment in Human Rights Awareness", in *The Institutionalisation of Human Rights in Africa*, Nherere P and d'Engelbronner-Kolff F M (eds), (Nordic Human Rights Publications, Oslo, 1993) p 153-159.

22 For example, HURIDOCs, Human Rights Internet and the International Association of Teachers and Researchers in Human Rights.

and obstacles lay to a large extent outside the field of education and in any case are frequently an obstacle to the general provision and to the functioning of human rights.

Teaching is not a remedy for society's problems nor a substitute for genuine structural change and development. We should, therefore, not try to seek an ideal single path for the fostering of advances in human peace and well-being. The education system cannot do everything and cannot do anything alone. Action for the promotion and protection of human rights has to be supplemented and taken up by every individual, the family, the mass media, the courts, the government, the international community and all forms of associative life. Each individual and all segments of society have to contribute actively to the building of a more peaceful world. In short, education is just one of the means which could lead to an improved human rights climate.

Furthermore, we must be aware that our efforts will not produce immediate results. To prevent disappointment, we should not pretend to change human behaviour through a few human rights lessons over a few weeks or months. Human rights education is planting the seeds of a more just, open and tolerant world: it is one of the factors in the long-term process of transforming particular ways of thinking, attitudes and behaviour. Results of the process can only be seen in the long term, and even then, evaluation of the impact is hard.

Although it is in the non-formal sector that the most innovative schemes in human rights education have emerged in recent years, at present no clear and comprehensive overview of the human rights education and information facilities, problems and needs in the region exists. Notwithstanding the call of the international community for research in this area, there is virtually no systematic evaluation of activities relating to education for human rights, nowadays.<sup>23</sup> As human rights education is not limited to knowledge, but involves values and attitudes as well, the evaluation of these educational activities is particularly difficult, and, therefore, usually confined to general and quantitative assessments.

To initiate, expand and improve human rights education on the national and regional levels, more questions need to be answered and more research needs to be done, especially in a multi-disciplinary perspective, taking into account legal, social, cultural, historical, economic and political aspects. To conclude, while the objectives and principles of human rights education are well-established, the time is now ripe to define concretely the means and ways of best achieving them. Practical, multi-disciplinary research, which is responsive to the needs and desires of the people and society could guide us in the right way forward.

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23 See, however, the research carried out by Nziramasanga and Jaji *op cit* note 7, and by Gallagher, *op cit* note 10.



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